

November 28, 2017

**VIA CM/ECF**

The Honorable Gary R. Brown  
United States Magistrate Judge  
U.S. District Court for the Eastern District of New York  
Long Island Courthouse  
100 Federal Plaza  
P.O. Box 9014  
Central Islip, NY 11722-9014  
Courtroom 840

**Re: Patti's Pitas, LLC, et al., v. Wells Fargo Merchant Services, LLC**  
**Civil Action No. 1:17-CV-04583-LDW-GRB**

Dear Judge Brown:

In accordance with Local Rule 7.1(d) and Rule III(B) of Your Honor's Individual Practice Rules, the Parties respectfully submit this letter motion seeking approval of the following proposed briefing schedule on Wells Fargo's anticipated motion to dismiss. The Parties further request permission to submit briefs in excess of 20 pages due to the complexity of the issues and number of Plaintiffs.


The parties have conferred regarding Wells Fargo's anticipated motion and jointly propose the following schedule for the briefing of the motion (to be served and filed in accordance with the Court's bundling rule):

1. January 8, 2018: Wells Fargo to serve motion to dismiss and memorandum of law;
2. February 7, 2018: Plaintiffs to serve papers in opposition to the motion;
3. February 21, 2018: Wells Fargo to serve reply papers in support of motion.

Additionally, due to the number of Plaintiffs involved and a fairly complex background, Wells Fargo would like to submit a 35-page brief in support of the motion and a 15-page reply brief, and Plaintiffs would like to submit a 40-page brief in opposition to the motion. The parties have consented to each other's request for additional pages.

The parties are available to answer any questions the Court may have regarding this proposal. Thank you for your consideration of this matter.

Respectfully submitted,

  
Jarrod D. Shaw